



Notice of Service of Process

null / ALL
Transmittal Number: 22134285
Date Processed: 10/09/2020

Primary Contact: State Farm Enterprise SOP
Corporation Service Company- Wilmington, DELAWARE
251 Little Falls Dr
Wilmington, DE 19808-1674

Entity:	State Farm Fire and Casualty Company Entity ID Number 3461650
Entity Served:	State Farm Fire and Casualty Company
Title of Action:	Dominique Lyons vs. State Farm Fire and Casualty Company
Matter Name/ID:	Dominique Lyons vs. State Farm Fire and Casualty Company (10567575)
Document(s) Type:	Summons/Complaint
Nature of Action:	Contract
Court/Agency:	Anchorage Superior Court, AK
Case/Reference No:	3AN-20-07985 CI
Jurisdiction Served:	Alaska
Date Served on CSC:	10/08/2020
Answer or Appearance Due:	20 Days
Originally Served On:	AK Dept of Insurance on 09/25/2020
How Served:	Certified Mail
Sender Information:	Mark D. Rayburn 907-677-9393

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
JUNEAU, ALASKA

CERTIFICATE OF SERVICE

I, LORI WING-HEIER, Director of Insurance, certify that I have been served with the attached document(s): SUMMONS AND NOTICE FOR BOTH PARTIES OF JUDICIAL ASSIGNMENT, COMPLAINT, EXHIBIT (1-4), DEMAND FOR TRIAL BY JURY, IN THE SUPERIOR COURT FOR THE STATE OF ALASKA IN THE THIRD JUDICIAL DISTRICT AT ANCHORAGE.

DOMINIQUE LYONS,

VS.

STATE FARM FIRE AND
CASUALTY,

CASE NO. 3AN-20-07985 CI,

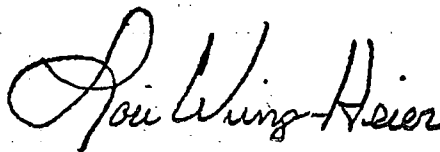
and that I have accepted, on your behalf, the above service, as received through the U.S. Mail in Juneau, Alaska, on the 25th DAY SEPTEMBER 2020.

In accordance with the provisions of AS 21.09.180-190, one copy of the document together with my certification is forwarded to you:

STATE FARM FIRE AND CASUALTY,

at your address on file in this office, via certified mail, return receipt requested.

Do not file your answer or response with this office. Direct your questions or response to the court, attorney, or party whose name and address appear on the document served.



Lori Wing-Heier
Director

Service of Process Section
Division of Insurance
P.O. Box 110805
Juneau, AK 99811-0805
Kayla Erickson
Phone (907) 465-2020



IN TESTIMONY WHEREOF
I have hereunto set my
hand and affixed my official seal,
at Juneau, Alaska this
6th DAY OF OCTOBER 2020.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT ANCHORAGE

Dominique Lyons

Plaintiff(s),

vs.

State Farm Fire and Casualty Company

Defendant(s).

CASE NO. 3AN-20- 07985 CI

**SUMMONS AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT**

To Defendant: State Farm Fire and Casualty Company

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 825 W. 4th Ave., Anchorage, Alaska 99501 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to the plaintiff's attorney or plaintiff (if unrepresented) Crowson Law Group, whose address is:
637 A Street, Anchorage, AK 99501

If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at www.courtrecords.alaska.gov/webdocs/forms/tf-955.pdf to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

TO: Plaintiff and Defendant

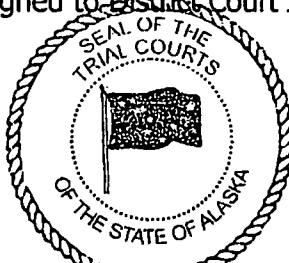
You are hereby given notice that:

☒ This case has been assigned to Superior Court Judge Gandlbhir
and to a magistrate judge.

☐ This case has been assigned to District Court Judge _____

CLERK OF COURT

By: [Signature]
Deputy Clerk



9/15/2022
Date

I certify that on 9/15/2022 a copy of this Summons was ☐ mailed ☒ given to
☐ plaintiff ☒ plaintiff's counsel along with a copy of the
☐ Domestic Relations Procedural Order ☐ Civil Pre-Trial Order
to serve on the defendant with the summons.
Deputy Clerk [Signature]

* The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

Mark D. Rayburn, Esq.
Crowson Law Group
637 A Street
Anchorage, AK 99501
(907) 677-9393 Telephone
(907) 677-9310 Facsimile
Email: mark@crowsonlaw.com
Attorneys for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

DOMINIQUE LYONS

Plaintiff,

VS.

STATE FARM FIRE AND
CASUALTY COMPANY,

Defendant.

Case No. 3AN-20- CI

COMPLAINT

COMES NOW Plaintiff, DOMINIQUE LYONS, by and through her
counsel, CROWSON LAW GROUP, and files suit against Defendant, STATE
FARM FIRE AND CASUALTY COMPANY and alleges the following:

1. DOMINIQUE LYONS, for all times mentioned herein, was a resident of the Municipality of Anchorage Borough, City of Anchorage, State of Alaska.

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LAW GROUP

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850 S. ROBERTS ST.
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2. At all times herein mentioned, Defendant STATE FARM FIRE AND CASUALTY COMPANY (hereinafter "STATE FARM") was an insurer licensed and authorized to do business in Alaska

3. The accident described below occurred in the Municipality of Anchorage Borough, and, as a result, venue properly lies with this Court.

4. Jurisdiction properly lies with this Honorable Court.

5. That on or about October 6, 2019, DOMINIQUE LYONS was the driver of that certain 2015 Subaru Forrester, Alaska license plate JBE 637.

6. That on or about October 6, 2019, DOMINIQUE LYONS was traveling eastbound on Dowling Road in the #1 through lane when a vehicle driven by Cody Hurley negligently pulled westbound onto Dowling Road directly into the oncoming path of DOMINIQUE LYONS.

7. That as a result of the collision caused by Cody Hurley turning into the path of DOMINIQUE LYONS' vehicle, DOMINIQUE LYONS' vehicle had to be towed from the scene due to disabling damage.

8. That on the occasion in question, Cody Hurley was negligent in the following particulars, among others, to-wit:

- a. Failure to keep his vehicle under control;
- b. Failure to give full time and attention;
- c. Failure to keep a proper lookout;
- d. Failure to yield to avoid collision;

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- e. Unreasonable operation of a vehicle under conditions existing;
- f. Failure to obey traffic control devices;
- g. Negligent driving;
- h. Reckless driving; and
- i. Failure to yield to oncoming traffic.

9. That the collision hereinabove stated was solely due to the negligence of Cody Hurley, without any comparative negligence whatsoever by DOMINIQUE LYONS.

10. As a direct and proximate result of the collision described above, DOMINIQUE LYONS was caused to sustain severe and permanent injury; caused to incur medical bills, lost wages and expenses; and was caused to endure pain and suffering. Furthermore, DOMINIQUE LYONS was precluded from enjoying his usual avocations.

11. The injuries, grievances and damages as hereinabove set forth, were caused by the carelessness, negligence, and recklessness of Cody Hurley as stated herein, without any carelessness or negligence on the part of DOMINIQUE LYONS contributing thereto.

12. That as a further direct and proximate result of the negligence of Cody Hurley, DOMINIQUE LYONS has been forced to incur medical bills for hospitalization, medical exams, nurses, medical treatment and for medicine for the treatment of the aforesaid injuries from the multiple health care providers

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including: Alaska Emergency Medicine Associates; Alaska Radiology Associates; Alpine Anesthesia; Anchorage Fracture and Orthopedic; Creekside Surgery Center; Pacific Medical; and Providence Health and Services, among others.

13. The treatment rendered to DOMINIQUE LYONS by the health care providers identified in Paragraph 12 was necessary to treat DOMINIQUE LYONS'S injuries suffered in the collision described above. The charges for the treatment rendered to DOMINIQUE LYONS by the health care providers identified in Paragraph 12 were reasonable.

14. DOMINIQUE LYONS continues to suffer from the injuries sustained in the above-described accident and is still in need of medical care. Additionally DOMINIQUE LYONS lost wages and employee benefits as a result of her injuries and those losses are continuing.

15. The vehicle operated on the date and time of the litigated collision by Cody Hurley was covered by an Alaskan liability insurance policy issued by State Farm Fire and Casualty Company ("SFFCC"), policy number 093 7735-d18-02.

16. The liability insurance policy issued by SFFCC contained a limit of liability of \$50,000.00 per person, plus applicable Rule 82 attorney fees, costs and interest.

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17. On June 26, 2020, SFFCC offered to pay \$50,000.00 liability limits plus applicable Rule 82 attorney fees and interest to settle DOMINIQUE LYONS'S bodily injury claim arising from the accident. (Please see **Exhibit 1**, attached.)

18. On July 1, 2020, STATE FARM gave its consent to DOMINIQUE LYONS to settle with SFFCC and Cody Hurley. (Please see **Exhibit 2**, attached.)

19. DOMINIQUE LYONS received a total of \$59,620.14 from STATE FARM, consisting of the \$50,000.00 STATE FARM policy limits, plus "add-ons" calculated at \$9,620.14 Rule 82 attorney fees, costs and interest. \$8,713.35 of the settlement was paid directly to the PHIA Group and the remaining \$50,906.79 was paid to DOMINIQUE LYONS (Please see **Exhibit 3**, attached.)

20. On the date and time of the litigated collision by Cody Hurley, DOMINIQUE LYONS was covered by an Alaskan uninsured/underinsured motorists insurance policy issued by STATE FARM FIRE AND CASUALTY COMPANY, policy number 088 0401-A29-02.

21. The amount received from SFFCC in settlement of the bodily injury claims was inadequate to indemnify DOMINIQUE LYONS for her losses suffered in the subject collision.

22. STATE FARM underwrote an insurance policy covering DOMINIQUE LYONS at the time of the litigated collision, policy number 088

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0401-A29-02 ("the STATE FARM policy") and providing for \$100,000.00 in uninsured/underinsured motorists coverage.

23. The STATE FARM policy provided, in part, that an "insured" under the policy would be covered under the policy's "underinsured motorist" provisions.

24. DOMINIQUE LYONS was an "insured" under the terms of the STATE FARM policy.

25. The STATE FARM policy provided that an "insured" would be entitled to benefits under the UIM portion of the policy if there were not adequate limits available under a liability policy to compensate the "insured" for damages suffered in a motor vehicle accident.

26. The STATE FARM policy required that an "insured" must obtain the consent of STATE FARM before settling with a liability insurance company in an automobile accident and, further, that the policy limits available under the liability policy were inadequate to indemnify the "insured" for the damages suffered before SFFCC would make payment.

27. STATE FARM assigned an underinsured motorist adjuster to conduct a complete review of DOMINIQUE LYONS'S case.

28. STATE FARM had ample time to conduct a detailed review of all of DOMINIQUE LYONS'S proofs provided, and to formulate an appropriate

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offer to compensate her under the UIM portion of the above referenced STATE FARM policy.

29. After multiple attempts by DOMINIQUE LYONS'S counsel to fairly negotiate her claim, on August 24, 2020, STATE FARM sent a letter to DOMINIQUE LYONS'S counsel in which STATE FARM considered the value of DOMINIQUE LYONS'S UIM claim to be \$5,000.00, indicating STATE FARM believed DOMINIQUE LYONS to be fully compensated under the liability settlement. This amount is insufficient to make DOMINIQUE LYONS whole. (See **Exhibit 4**, attached.)

COUNT I: INDEMNITY

30. DOMINIQUE LYONS incorporates herein by reference paragraphs 1 through 29, as if fully set forth herein:

31. The STATE FARM policy's UIM provisions promise to indemnify an "insured" for personal injury losses resulting from an automobile accident with a driver whose insurance coverage is inadequate to indemnify the "insured".

32. STATE FARM has failed to comply with this provision of the STATE FARM policy.

33. DOMINIQUE LYONS has suffered losses in the form of medical bills and general damages as a result of STATE FARM'S failure to adhere to the policy language referenced above.

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COUNT II: BREACH OF CONTRACT

34. DOMINIQUE LYONS incorporates herein by reference paragraphs 1 through 33, as if fully set forth herein:

35. DOMINIQUE LYONS has complied with her obligations under the STATE FARM policy and is entitled to performance by STATE FARM.

36. STATE FARM has failed to fulfill its obligations under the terms of the STATE FARM policy in that it failed to adequately indemnify DOMINIQUE LYONS for her losses suffered as a consequence of the underlying automobile accident.

COUNT III: BREACH OF THE IMPLIED COVENANT OF GOOD FAITH AND FAIR DEALING

37. DOMINIQUE LYONS incorporates herein by reference paragraphs 1 through 36, as if fully set forth herein:

38. STATE FARM policy contract includes an implied promise of good faith and fair dealing. This means that each party will not do anything to unfairly interfere with the right of any other party to receive the benefits of the contract.

39. STATE FARM unfairly interfered with DOMINIQUE LYONS'S right to receive the benefits of the contract; DOMINIQUE LYONS was harmed by this conduct by STATE FARM.

40. WHEREFORE, DOMINIQUE LYONS prays judgment against

STATE FARM, as follows:

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1. For general damages.
2. For all medical and incidental expenses according to proof.
3. For all lost wages according to proof.
4. For indemnification for all losses incurred by Plaintiff as a result of the underlying collision.
5. For punitive or exemplary damages due to Defendant's breach of the implied covenant of good faith and fair dealing.
6. For costs of suit herein incurred.
7. For such other and further relief as the court may deem proper.
8. That this case be tried by jury.

Respectfully submitted on this the 15th day of September 2020.

CROWSON LAW GROUP
Attorney for Plaintiff

By: /s/ Mark Rayburn
Mark D. Rayburn
ABA #1609067
mark@crowsonlaw.com

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Lyons v. State Farm
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June 26, 2020

Crowson Law Group
637 A St
Anchorage AK 99501-3623

State Farm Claims
PO Box 106171
Atlanta GA 30348-6171

RE: Claim Number: 02-B683-5T7
 Date of Loss: October 6, 2019
 Our Insured: Cody Hurley
 Your Client(s): Dominique D Lyons

Dear Danny Moss:

Per our conversation on June 26, 2020 we will tender our policy limit of \$50,000.00 to resolve your client's bodily injury claim. Our total settlement amount including Rule 82 fees is \$59,620.14. This amount includes any and all liens and statutory rights of recovery attached to this loss, known or unknown, on behalf of the injured party.

We are awaiting the final lien from Conduent. Upon receipt of the final lien and release we can issue the settlement to your office with the lien amount in a separate draft.

The release, declaration from our insured and declaration page are attached.

Sincerely,

Stephanie Baskfield
Claim Specialist
434-872-2759
Fax: (855) 820-6318

State Farm Fire and Casualty Company

July 1, 2020

Crowson Law Group
637 A St
Anchorage AK 99501-3623

State Farm Claims
PO Box 106171
Atlanta GA 30348-6171

RE: Claim Number: 02-B683-6J0
 Date of Loss: October 6, 2019
 Our Insured: Dominique Lyons
 Your Client(s): Dominique Lyons

To Danny,

Please accept this letter as consent to settle the underlying Bodily Injury claim. Please review directly with the Medical Payments Coverage department your request for waiver of MPC benefits reimbursement.

Sincerely,

Jennifer M Paddock
Claim Specialist
Direct: (480) 842-3132 M-F 8:30-5
Fax: (855) 820-6318
Email: statefarmclaims@statefarm.com (Please reference claim number in subject line.)

State Farm Fire and Casualty Company

PAYMENT NO 1 15 326707 J
PAYMENT AMOUNT \$50,906.79
ISSUE DATE 07-11-2020
AUTHORIZED BY BASKFIELD, STEPHANIE
PHONE (844) 292-8615

CLAIM NO 02-B683-5T7
LOSS DATE 10-06-2019
POLICY NO 0937-735-02
INSURED HURLEY, CODY

CROWSON LAW GROUP IN TRUST FOR DOMINIQUE LYONS
637 A ST
ANCHORAGE AK 99501-3623

REMARKS bodily injury settlement

COVERAGE DESCRIPTION
BODILY INJURY LIABILITY
BODILY INJURY LIABILITY

ON BEHALF OF
LYONS, DOMINIQUE
LYONS, DOMINIQUE

AMOUNT
41,286.65
9,620.14

RETAIN STUB FOR RECORDS

May be presented to First National Bank Alaska



STATE FARM FIRE AND CASUALTY COMPANY

AUTO INJURY

INJ B1 OFFICE CH PAGECNTQ.P06

US BANK, NA 75-1592/912
ST. PAUL, MN

1 15 326707 J

CLAIM NO 02-B683-5T7
LOSS DATE 10-06-2019

INSURED HURLEY, CODY

DATE 07-11-2020
MM DD YY

*****EXACTLY FIFTY THOUSAND NINE HUNDRED SIX AND 79/100 DOLLARS

\$****50,906.79

Pay to the
Order of: CROWSON LAW GROUP IN TRUST FOR DOMINIQUE LYONS

Michael Flynn
AUTHORIZED SIGNATURE
Jon C. Farney
AUTHORIZED SIGNATURE

SECURED DOCUMENT WATERMARK APPEARS ON BACK, HOLD AT 45° ANGLE FOR VIEWING

Re: 02B6835T7

Danny Moss <danny@crowsonlaw.com>
Attachments
9:48 AM (0 minutes ago)
to STATEFARMCLAIMS@STATEFARM.COM

Stephanie,

Please see attached signed release for Dominique Lyons for \$59,620.14. I have also attached the \$25,000 med pay waiver from State Farm, which shows they are not seeking a recovery against the settlement.

From the total of \$59,620.14, please pay PHIA Group for the health insurance lien. I have attached their information to this email. That check should be made out to "PHIA Group" for \$8713.35. PHIA's case number needs to be mentioned on the check, which is 20200102-001650. Please send that check to:

PHIA Group
PO BOX 499
Canton, MA 02021

The remaining \$50,906.79 should be made payable to "Crowson Law Group in trust for Dominique Lyons."

Please mail to:

Crowson Law Group
637 A Street
Anchorage, AK 99501

If you have any questions or concerns, please give me a call as soon as possible at 907-677-9393.

Danny Moss
Crowson Law Group
907-677-9393

August 24, 2020

Crowson Law Group
637 A St
Anchorage AK 99501-3623

State Farm Claims
PO Box 106171
Atlanta GA 30348-6171

RE: Claim Number: 02-B683-6J0
 Date of Loss: October 6, 2019
 Our Insured: Dominique Lyons
 Your Client(s): Dominique Lyons

Dear Danny,

Please accept this letter in reponse to your Underinsured Motorist Bodily Injury demand for Dominique Lyons.

- * She has received \$50,000 from the underlying Bodily Injury Claim.
- * Medical Payments Coverage has paid an additional \$25,000.
- * The Underinsured Motorist Bodily Injury coverage extends an offer of an additional \$5,000 new money.

We feel that \$80,000 total is a fair settlement for her injury. Please review with Ms. Lyons our offer UIM of settlement of \$5,000 which is inclusive of all damages, known and unknown, and any liens, assignments, or statutory rights of recovery.

Sincerely,

Jennifer M Paddock
UIM Claim Specialist
Direct: (480) 842-3132 M-F 8:30-5
Fax: (855) 820-6318
Email: statefarmclaims@statefarm.com (Please reference claim number in subject line.)

State Farm Fire and Casualty Company

Mark D. Rayburn, Esq.
Crowson Law Group
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Email: mark@crowsonlaw.com
Attorneys for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

DOMINIQUE LYONS)	
)	
Plaintiff,)	
)	
vs.)	
)	
STATE FARM FIRE AND)	
CASUALTY COMPANY,)	
)	
Defendant.)	Case No. 3AN-20-07985 CI
_____)	

DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff, DOMINIQUE LYONS, and hereby requests a
Trial by Jury of all issues so triable.

Respectfully submitted on this the 22nd day of September 2020.

CROWSON
LAW GROUP

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CROWSON LAW GROUP
Attorney for Plaintiff

By: /s/ Mark Rayburn
Mark D. Rayburn
ABA #1609067
mark@crowsonlaw.com

Lyons v. State Farm
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Demand for Trial by Jury
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State of Alaska
Department of Commerce, Community,
And Economic Development
Division of Insurance
P. O. Box 110305
Juneau, AK 99811-0305

CERTIFIED MAIL®



7018 2290 0001 8578 7270

Corporation Service Company
9360 Glacier Highway, Suite 202
Juneau, AK 99801
United States